

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
BEFORE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

ILLINOIS
COMMERCE COMMISSION

2006 JUL 31 A 10:44

CHIEF CLERK'S OFFICE

Hoi T. Huynh

vs.

The Peoples Gas Light and Coke Company

Complaint as to fraudulent billing/charges at
2636 & 2642 N. Drake, Chicago, IL 60647.

No. 06-0104

COMPLAINANT'S APPLICATION ON EXCEPTIONS FOR REHEARING BY ONE OF THE COMMISSIONERS- HER OR HIMSELF.

Originally, this was a complaint about the fraudulent billings/ charges initiated at 2636 N. Drake, Chicago, IL 60647. Sometime in 1998, the wrong billings/ charges were illegally transferred to 2642 N. Drake, Chicago, IL 60647. This un-lawful (and unethical) practice was repeated at 2642 Drake, in 2002, with wrong billings/charges and collecting money for the gas which had never been used during 2002-2005. In September, 2005, the People Gas Light and Coke Company closed Complainant's account at 2642 (# 8-5000-0443-6323) by itself. So the company does not have to refund the \$100 settlement to this account; when after Mr.164, one of the company's supervisors, trespassed Complainant's property to remove the previously evident meter in August, 2006. However, this company has been instructing its "Dear Customer", "RESIDENT 2642 N. DRAKE AVE HSC" to apply for gas service to avoid disconnection since November 03, 2006.

On February 02, 2006, Complainant (Huynh) filed this formal complaint with the Commission (docket # 06-0104). Pursuant to notice given in accordance with the law and the rules

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and regulations, the duly authorized Administrative Law Judge, Leslie Haynes, was appointed to preside over the hearing, which was set for February 22, 2006, at the offices of the Commission, in Chicago, where as Attorney for Respondent, Mark L. Goldstein, and the Company's Employee, Brian Schmoldt requested for a continuance because their misunderstanding of the complaint and they needed more time to learn about its problems, so the complaint could be settled without a trial. The request was granted and the hearing was reset for March 22, 2006.

On March 22, 2006, nothing was heard but Respondent, by and through its attorney, handed the ALJ and Huynh its "Motion to Dismiss", in which claimed that the Complaint is time-barred. Another continuance was set for May 03, 2006.

Huynh was forced into an **abuse of process** (or more accurately, **a game that these people play**), on May 03, 2006, the hearing was not taken place, but re-set for June 14, 2006, which was cancel without a notice, until Complainant had to call ([847]-580-5480 and [312]-814-6652) and learn about that cancellation on Monday, May 22, 2006, then the notice was received a couple of days later.

On May 12, 2006, Complainant received the ALJ, Leslie Haynes' Proposed Order in which the ALJ proposed "The Commission agrees with the Respondent ..." after "..., having considered the entire record ..." then "... ORDERED that Respondent's Motion to Dismiss is granted and the Complaint filed by Hoi T. Huyhn on February 26, 2002 against People Gas Light and Coke Company be, and is hereby, dismissed." which contradict to the beginning of the first paragraph: "On February 2, 2006, Hoi T. Huynh ("Complainant") filed a Complaint against Peoples Gas " (emphasis added) Huynh was also instructed: "BRIEFS ON EXCEPTIONS DUE: May 24, 2006" and informed that "REPLY BRIEFS ON EXCEPTIONS DUE: May 31, 2006"

In the evening of May 24, 2006, by and through U.S. Mail, at its Central Office, Cardiss Collins Store A, Chicago, IL60607-9998, with post-mark and receipts, Huynh filed and served her "BRIEF" OF COMPLAINANT in which she pointed out the mistakes, that the ALJ (could be deliberately) made in her Proposed Order and "Complainant respectfully request that the Commission (or ALJ) issue an order that ordering Respondent to refund Complainant, her \$5,000.00. And for any other further relief as the Commission deems equitable and just under the facts and circumstances." Nothing had happened, nor did Respondent care to reply (perhaps because "Complainant **respectfully** request"?!)

Until Saturday, July 01, 2006, Huynh received from the Chief Clerk of the Illinois Commerce Commission of the State of Illinois "a **certified** copy of the Order entered by this Commission.,..., (SIGNED)[BY] CHARLES E. BOX [,] Chairman", (attached) which certified the negligence and confirmed the **conspiracy** that this Commission properly have routinely practiced? These left Complainant with a painful, too painful to endure, question: How can we survived as a society when these high-rank staffs of the Commission behaving like this?!

In addition, after Huynh filed this formal complaint and the hearing was scheduled; Complainant trusted that the matter would be heard and the problem would be straightened out. Therefore, about early of April, 2006, Complainant registered, through internet, with Automatic Payment Program for the account # 8-5000-2340-8926 of the address 2636 N. Drake, where Complainant and her family currently reside, so she can meet her responsibility and avoid all of those unethical charges or fees (i.e. late payment charge) which the Company acknowledges with its welcome letter dated April 18, 2006, in which the "Peoples Energy" "Sincerely" "Thank you for participating in the Automatic Payment Program.,..., There are no sign-up fees or extra charges.,..., We are sure you will find Automatic Payment a much easy way to pay your gas bill." (Enclosed A).

On the bill dated "05/03/2006" the company late charged Complainant \$5.54 for previous balance of \$473.81. Then relatively at the same time, the company sent Complainant a letter, dated May 06, 2006, informing: " ...What you may not know is that we also periodically conduct **Federally Mandated inspections of our equipment inside customers homes and businesses.** Here's where you come in....., Schedule an appointment today....., **Unfortunately, the company will have to disconnect service to customers who fail to schedule an appointment.**" (Enclosed B)

Beginning of June, 2006, on the bill dated 06/05/2006, the "Peoples" again late payment charged Complainant another \$5.52 on "Previous Balance \$450.39" where on the next line "Thank You For Your Payment -\$76.58" [\$71.04 + \$5.54] (Enclosed C). Then on the very next golden day, 06/06/06, the "Peoples" issued its Final Notice Prior to Disconnection with a red coded warrant and stated: " IMPORTANT – READ THIS IMMEDIATELY! If you do not want your gas service shut off, you must pay \$373.81 before 06-15-06" (Enclosed D) Then the Peoples Gas Light and Coke Company did consistently exercise its monopoly power. (Why should they not to? They have a Commission that committed to them.) Consequently, Complainant and her children have been living in the house without gas service. They bought an electric appliance and boiled water for all cleaning purposes as people in the third world countries ever since the middle of June, 2006!

CONCLUSION

WHEREFORE, the Complainant requests that one of the Commissioners hear the Complaint by her/himself.



Hoi T. Huynh, Complainant, *Pro se*
2636 N. Drake Street
Chicago, IL 60647-1210
(773) 772-3180